

## REMARKS

As a preliminary matter, Applicants respectfully request entry of this Amendment after final Office Action. Applicants did not make these amendments earlier because it was believed the previous amendments were sufficient. Applicants have further amended the claims to better define the invention.

Claims 1, 19, 24, 61 and 62 are amended. The amendments are supported by the disclosure as filed, for example support can be found on at least page 16, line 31 through page 17, line 7.

### **1. 35 U.S.C. 103 Rejection of Claim 62**

Claim 62 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt et al (U.S. Patent No. 5,892,905). Applicants respectfully traverse.

Brandt et al. discloses a computer apparatus and method for providing a common user interface for software applications accessed via the World-Wide Web. The system and method provide a standard graphical user interface (GUI) to allow access of different application programs over the World-Wide Web using hypertext markup language (HTML). Col. 3, ll. 56-65. The GUI allows access to software applications provided by multiple software vendors from a web browser over the World-Wide Web.

Brandt et al. does not disclose or suggest, at least the claimed “common user interface” with a “plurality of tools being used for a plurality of architectures” “wherein all of said tools of are presented by the common user interface in a single view”, as recited by claim 62 as amended. While different applications may be able to be accessed over the World-Wide Web using the Brandt et al. system, “a plurality of tools” for a “data warehouse architecture”, “a development architecture” and “an operations architecture” are not all disclosed as being “presented in a single view”. By presenting all the tools in a single view, the invention provides “for reducing the effort and costs involved with designing, implementing, and maintaining the data warehouse computing system”.

For at least this reason, Applicants respectfully request that the rejection to claim 62 as amended be withdrawn.

## **2. 35 U.S.C. 103 Rejection of Claims 1-28 and 61**

Claims 1-28 and 61 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Brandt, in view of Wallent et al (U.S. Patent No. 6,366,912) and further in view of Hanai et al, *An Integrated Software Maintenance Environment: Bridging Configuration Management and Quality Management*, IEEE Computer society press, October 24, 1988, pages 40-44, in view of Official Notice. Applicants respectfully traverse.

Hanai discloses an Integrated Software Configuration Management (ISCM) system that manages software objects and manages maintenance activities within switching software systems for a telecommunication system (P. 40 right column third paragraph and P. 41 left column first paragraph). Hanai teaches that the ISCM system uses databases to integrate a configuration management system with a quality management system to create a single system with both functions (P. 40 right column last paragraph and P. 41 left column first paragraph).

The configuration management system taught by Hanai coordinates configuration information with other management information that includes problem reports and interdependencies (P. 41 right column last paragraph). In addition, the configuration management system prevents improper changes to software objects, coordinates synchronous changes and preserves the coherency of changes (P. 42 left column section 3.3). Further, the configuration management system generates prototype systems for testing, provides comprehensive change information and tracks changes to the objects (P. 42 left and right columns section 3.3).

The ISCM system includes an Extended Configuration Management system (ECMS) with a menu-driven man machine interface that provides the capability to store, change and review revisions to objects, the revision history and other information related to changes to the software objects (P. 42 right column section 4.1). The ISCM also includes a problem report database (PROMIS) that is matched with the history and program revisions to monitor individual problems and manage overall system quality based on statistical analysis (P. 43 left and right columns section 4.2). Further, the ISCM includes a module interface definition generator (REMIE) to generate a set of module interface definitions.

Wallent et al. discloses a computer based system and method of providing security when receiving digital data at a client computer from one or more Web sites. The method includes receiving security configuration information that specifies multiple security zones, each zone corresponding to a set of Web sites. The security configuration information also includes information specifying a set of security settings corresponding to each security zone. During the browsing of a Web site, the Web browser visually indicates the security zone corresponding to the current Web site. See Abstract.

Claim 1:

Regarding amended claim 1, none of the references, alone or in combination, disclose or suggest, “a plurality of tools accessible via a common user interface” “wherein all of said tools of are presented by the common user interface in a single view”. The claimed tools include “a software distribution tool, a configuration and asset management tool, a fault management and recovery management tool, a capacity planning tool, a performance management tool, a license management tool, a remote management tool, a event management tool, a systems monitoring and tuning tool, a security tool, a user administration tool, a production control application set and a help desk tool supporting said web server and said client in said data warehouse computing system”. While the references may be combined to disclose some of the tools, in one form or another, none of the references, alone or in combination, disclose or suggest that the plurality of tools are all presented “in a single view”.

Claims 2-18:

Claims 2-18 include all of the features of claim 1, plus additional features. For at least the reasons discussed with regard to claim 1, Applicants respectfully request that the rejection of these claims also be withdrawn.

Moreover, Applicants respectfully traverse the Official Notice that was taken that the limitation narrowed by these claims are considered obvious and furthermore a matter of design choice to implement functions to the tools that the system comprises to provide more functions and enhance the tools with the advantages of such functions. The choice of the claimed combination of tools is not by itself obvious.

Applicants request that references be provided that show the claimed combination of tools, or that the rejection be withdrawn.

Claim 9:

Moreover, regarding claim 9, none of the references, alone or in combination, disclose or suggest that “said license management tool manages and controls license information for applications running on said data warehouse computing system”. For at least this additional reason, Applicants respectfully request that the rejection to claim 9 be withdrawn.

Claim 10:

Moreover, regarding claim 10, none of the references, alone or in combination, disclose or suggest that “said remote management tool allows support personnel from said data warehouse computing system to take control of said client”. For at least this additional reason, Applicants respectfully request that the rejection to claim 10 be withdrawn.

Claim 19:

Regarding amended claim 19, none of the references, alone or in combination, disclose or suggest, “a plurality of tools accessible via a common user interface” “wherein all of said tools of are presented by the common user interface in a single view”. The claimed tools include “a software distribution tool”, “a configuration and asset management tool”, “a fault management and recovery management tool”, “a capacity planning tool”, “a performance management tool”, “a license management tool”, “a remote management tool”, “a event management tool”, “a systems monitoring and tuning tool”, “a security tool”, “a user administration tool”, “a production control application set” and “a help desk tool”. While the references may be combined to disclose some of the tools, in one form or another, none of the references, alone or in combination, disclose or suggest that the plurality of tools are all presented “in a single view”.

For at least this reason, Applicants respectfully request that the rejection to claim 19 be withdrawn.

Claims 20-23:

Claims 20-23 depend from claim 19 and therefore include all of the features of claim 19 plus additional features. Thus, for at least the reasons discussed with regard to claim 19, Applicants respectfully request that the rejection to claim 20-23 be withdrawn.

Claim 24:

Regarding amended claim 24, none of the references, alone or in combination, disclose or suggest, “a plurality of tools accessible via a common user interface” “wherein all of said tools of are presented by the common user interface in a single view”. The claimed tools include “a software distribution tool”, “a configuration and asset management tool”, “a fault management and recovery management tool”, “a capacity planning tool”, “a performance management tool”, “a license management tool”, “a remote management tool” “a event management tool”, “a systems monitoring and tuning tool”, “a security tool”, “a user administration tool” and “a help desk tool”. While the references may be combined to disclose some of the tools, in one form or another, none of the references, alone or in combination, disclose or suggest that the plurality of tools are all presented “in a single view”.

For at least this reason, Applicants respectfully request that the rejection to claim 24 be withdrawn.

Claims 25-28:

Claims 25-28 depend from claim 24, and therefore include all of the features of claim 24, plus additional features. Thus, for at least the reason discussed with regard to claim 24, Applicants respectfully request that the rejection to claims 25-28 be withdrawn.

Claim 61:

With regard to amended claim 61, none of the references, alone or in combination, disclose or suggest, “a plurality of tools accessible via a common user interface” “wherein all of said tools of are presented by the common user interface in a single view”. The claimed tools include operation architecture tools including “a software distribution tool”, “a configuration and asset management tool”, “a fault management and recovery management tool”, “a capacity planning tool”, “a

performance management tool”, “a license management tool”, “a remote management tool”, “an event management tool”, “a systems monitoring and tuning tool”, “a security tool”, “a user administration tool”, “a production control application set”, and “a help desk tool”. The tools also include tools for a development architecture including “a process management tool”, “a personal productivity tool”, “a quality management tool”, “a system building tool”, “an environment management tool”, “a program and project management tool”, and “an information management tool”. While the references may be combined to disclose some of the tools, in one form or another, none of the references, alone or in combination, disclose or suggest that the plurality of tools are all presented “in a single view”.

For at least this reason, Applicants respectfully request that the rejection to claim 61 be withdrawn.

Moreover, Applicants respectfully traverse the Official Notice that was taken that the limitation narrowed by these claims are considered obvious and furthermore a matter of design choice to implement functions to the tools that the system comprises to provide more functions and enhance the tools with the advantages of such functions. The choice of the claimed combination of tools is not by itself obvious. Applicants request that references be provided that show the claimed combination of tools, or that the rejection be withdrawn.

### **3. Official Notice Improperly Applied:**

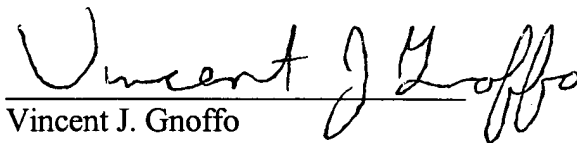
The Office Action alleges that with regard to Official Notice in the previous Office Action, Applicant failed to provide evidence that the Examiner’s use of Official Notice is flawed or in error. See O.A., pages 11. Applicants respectfully disagree and traverse. To adequately traverse a finding of Official Notice, “an applicant must specifically point out the supposed errors in the examiner’s action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art.” See MPEP 2144.04 (c). Applicants clearly stated in the last response that that “As noted in the court in *In re Ahlert*, 424 F.2d 1088, 1091 (CCPA 1970), the notice of facts beyond the record which may be taken by the examiner must be “capable of such instant and unquestionable demonstration as to defy dispute....The official notice

taken by the Office Action is not capable of such instant and unquestionable demonstration as to defy dispute.” See e.g. Amendment Dated July 14, 2004, page 30. In other words, the Office Action failed to show that it would have been common knowledge or well-known in the art to use the recited feature with the claimed combination. “If applicant adequately traverses the examiner’s assertion of official notice, the examiner must provide documentary evidence in the next Office action if the rejection is to be maintained”. MPEP 2144.04(C). Applicants requested that the Office Action withdraw the rejections where Official Notice was used or provide documentary evidence of the Official Noticed feature as used in the claimed combination. Applicants reapply that assertion here.

**4. Conclusion:**

Applicant respectfully requests the allowance of the application. The Examiner is invited to contact the undersigned attorneys for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,

A handwritten signature in black ink, reading "Vincent J. Gnoffo". The signature is written in a cursive, flowing style. The first name "Vincent" is written in a larger, more prominent script, followed by "J." and "Gnoffo". The signature is positioned above a horizontal line.

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